



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION  
*ELlicott City Historic District ■ LAWYERS HILL Historic District*  
3430 Court House Drive ■ Ellicott City, Maryland 21043

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*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350  
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## April Minutes

Thursday, April 5, 2018; 7:00 p.m.

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The April meeting of the Historic Preservation Commission was held on Thursday, April 5, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Roth moved to approve the March minutes. Ms. Tennor seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich

Members Absent: Erica Zoren

Staff present: Samantha Holmes, Beth Burgess, Dan Bennett, Renee Novak, Lewis Taylor, Yvette Zhou

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### OTHER BUSINESS

1. Ellicott City Design Guidelines Update

### PLANS FOR APPROVAL

#### Consent Agenda

1. MA-17-32c – 3749 Church Road, Ellicott City
2. HPC-18-19c – 8202 Main Street, Ellicott City
3. HPC-18-20 – 8221 Main Street, Ellicott City

#### Regular Agenda

4. HPC-18-21 – 3626 Church Road, Ellicott City
5. HPC-18-22 – 6219 Lawyers Hill Road, Elkrigde
6. HPC-18-23 – 3598 Fels Lane, Ellicott City
7. HPC-18-24 – 8307 Main Street, Ellicott City
8. HPC-18-25 – 8217-8225 Main Street, Ellicott City
9. HPC-18-17c – 8081 Main Street, Ellicott City

## OTHER BUSINESS

### Ellicott City Design Guidelines Update

Mr. Shad asked if anyone in the audience would like to speak on the Design Guidelines update. There was no one in the audience who wished to speak on the Design Guidelines. Ms. Burgess explained the change in the editing process of Chapters 1-5. The Staff realized that the updates may be confusing to review with text only, without the visual benefits of graphs, images and formatting. The Staff will use Chapters 1-5 as a prototype to create an InDesign template to present to the general public for input before moving forward with other chapters.

Ms. Burgess asked if there were any comments or concerns about Chapters 1-5 and the revised process. Mr. Reich asked about the timeframe and how many total chapters. Ms. Burgess said although the new process may delay the timeframe to fall, Ms. Novak has continued editing the Guidelines. Ms. Burgess said there are several chapters and new chapters may be added.

Mr. Reich asked how the Guideline update integrates with the Ellicott City Master plan (ECMP). Ms. Burgess said the ECMP should have proposals at the end of June which is not conflicting with the Guideline update and anticipates flood mitigation chapters to be ready at the end of fall.

Ms. Tennor said if the public can see the text and images, then the feedback will be more meaningful. Ms. Tennor said even if the process will take longer, it will be worth the time for the more comprehensible product. She said we should get more meaningful feedback with the text in concert with the images and we may realize DPZ Staff needs a different illustration.

## CONSENT AGENDA

### MA-17-32c – 3749 Church Road, Ellicott City

Final tax credit 20.112 claim.

Applicant: Kimberly Kepnes

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1830. The Applicant was pre-approved for tax credits for the repair of the stucco and battlements through the Minor Alterations/Executive Secretary process in MA-17-32. The Applicant has submitted documentation that \$20,300.00 was spent on eligible, pre-approved work. The Applicant seeks \$5,075.00 in final tax credits.

**Staff Comments:** The work complies with that pre-approved and the invoice and checks add up to more than the requested amount.

**Staff Recommendation:** Staff recommends Approval as submitted for a final tax credit of \$5,075.00.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. Mr. Shad swore in Kimberly Kepnes. Ms. Kepnes recommended the Commission increase tax credit options for owners in the Historic District due to the high cost to maintain the buildings. Ms. Holmes said the State would have to enable legislation, not the Commission. Ms. Kepnes said she is interested to lobby for a legislative change by providing the information to residents in the District. Mr. Reich asked if the Guidelines explained the tax credits. Mr. Taylor said the tax credits are not in the Guidelines because the Guidelines

provide guidance on appropriate exterior alterations, and not focusing on tax credits, although further discussion may be needed to determine if tax credits should be included in the Guideline revisions.

**Motion:** Mr. Roth moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-18-19c – 8202 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Ron Peters

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1850. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$859,100. The difference in the assessment that is eligible for the tax credit is \$858,100.00. The application states that \$61,637.93 was spent on restoring the building.

**Staff Comments:** Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. Staff confirms that there are \$33,168.45 in qualified expenses for restoration work that includes rebuilding the front porch, repairs to the fire alarm system, HVAC system and interior repairs. The estimated potential tax credit this property could qualify for, based on the current assessment, current tax rate and amount of qualified expenses is \$33,168.45.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

**Staff Recommendation:** Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-18-20 – 8221 Main Street, Ellicott City**

Certificate of Approval for exterior alterations.

Applicant: Trae Reuwer

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The Applicant seeks approval to remove the existing service door that is located on the side of the building along Old Columbia Pike and install a new service door on the rear of the building that will be accessed from the off-street parking area. The new door will be hollow metal,

painted the same color brown as the existing door. The bricks that are removed on the rear for the new door will be used to fill in the void from the previous door opening, so all brick will match.



Figure 1 - Side door on Old Columbia Pike to be removed

The proposed new door will be larger than the existing and will be 4 feet wide by 8 feet tall. Although the sketch in Figure 2 shows a door with two leaves (as does the application form), the plan is being amended to one 4-foot wide door due to requirements from the Department of Inspections, Licenses and Permits.

**Staff Comments:** Chapter 6.G generally recommends against, “changing the size of door openings; blocking or filling door openings, transoms or sidelights” and “cutting a new entrance into a primary façade or in any location where it destroys historic features important to the buildings character.” The proposed location for the new door does not contain any unique historic features whose loss would degrade the architectural integrity of the building more so than the existing location of the service door. The rear location is not a primary façade. The relocation of the service door from the Old Columbia Pike side of the building to the rear of the building results in a safer access point than the existing location provides.

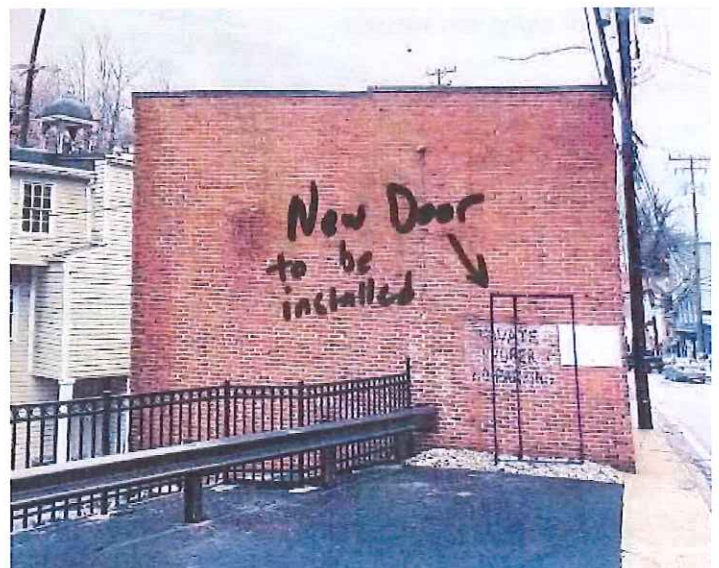


Figure 2 - Proposed location of new door

The proposed door is a flush metal door, which will replace a flush wood door. Chapter 6.H recommends against, “using flush doors without trim or panels...on historic buildings or on non-historic buildings in a highly visible location.” However, given the

ornate and unique nature of the paneled doors on the front of the building, the most appropriate design for a rear service door is the proposed flush door. A flush door will blend into the rear façade, rather than standing out as potential entrance door, which could happen if the door was more decorative.

The color of the mortar was not referenced in the application, but the mortar color should be matched to the existing, in order to for the brick fill to blend seamlessly into the side of the building.

There are two outstanding issues for this building that need to be addressed. The main sign on the front of the building was changed without approval and six signs/music posters were added to the Old Columbia Pike side of the building without approval.

**Staff Comments:** Staff recommends Approval of as amended. Staff recommends the music posters be removed from the Old Columbia Pike side of the building and that an application for Certificate of Approval be submitted for the main sign.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.



## REGULAR AGENDA

### HPC-18-21 – 3626 Church Road, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Ed Fortunato

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1920. The Applicant proposes to replace the existing green asphalt shingle roof with GAF Camelot II asphalt shingles in the color Antique Slate, a medium gray. The existing roof is in visibly poor condition, as shown in the photo from the recent real estate listing in Figure 3. The Applicant seeks tax credit pre-approval for the work.



Figure 3 - Roof to be replaced

**Staff Comments:** The existing roof material is asphalt and the roof was last replaced in 1998. Chapter 6.E recommends, “use asphalt shingles that are flat, uniform in color and texture and of a neutral color. A modern material similar in appearance to the original, such as a synthetic that reproduces the appearance of slate, may be used.” The proposed asphalt shingles are larger than a typical architectural shingle to mimic the size of slate. It is unknown if this house ever had a slate roof, however the neighboring house to the south has a slate roof and the neighboring house to the east had a slate roof. It is possible the house may have had a slate roof given the status of the neighboring properties.

The house is not visible from Church Road and is located off a drive shared with another residence and the Patapsco Female Institute. The details of the existing roof are not highly visible from the base of the private driveway, as shown in Figure 4. The difference between a standard architectural



Figure 4 - View from base of driveway



shingle and the proposed shingle would not be noticeable from this distance. The change to a medium gray color will better comply with the Guidelines than the green roof, which is not a neutral color. The shingles will be uniform in color, but will not be flat. The recommendation for a flat shingle is outdated based on roofing technology available at the time the Guidelines were first published. The architectural roof shingles (and variations such as the proposed roofing shingle) that are available today are a higher quality roof material than a standard 3-tab flat asphalt roof shingle.



Figure 5 - Front of house

The roof replacement is also eligible for tax credits per Section 20.113 of the County Code. The historic house has a modern addition that is not eligible for the tax credit, but the Applicant has supplied materials showing the total square footage of the roof. The roof on the historic structure is 2,521 square feet. The roof on the addition, which is not eligible for the tax credit, is 842 square feet. This square footage can be used to prorate the final cost of the replacement for purposes of calculating the tax credit.

**Staff Recommendation:** Staff recommends Approval as submitted and tax credit pre-approval for the work.

**Testimony:** Ms Holmes said the Applicant is also approval to replace the garage roof, and that not included in the Staff report. Mr. Shad swore in Ed Fortunato. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Fortunato said there is a new addition on the house that is not historic, but Mr. Fortunato believed that the garage was part of the house and perhaps the tax credits could be adjusted. Mr. Fortunato asked if the roof and the garage were included in the review. Ms. Holmes said the square footage of the addition roof and garage roof were not included for tax credits since they are not historic. Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify

**Motion:** Mr. Roth moved to approve the application as submitted. Mr. Reich seconded. The motion was unanimously approved.



Advisory Comments for subdivision and site development plan.  
Applicant: Donald Reuwer Jr.



has been allowed to mature, shrouding the houses in foliage and creating thick canopies over the roads.”

The nomination form also explains that “houses were often architect-designed and usually included room for servant’s quarters, but in general the scale remained in keeping with the rural landscape...Construction is predominately wood, both post and beam and balloon frame, with wood siding, usually clapboard, shingles or board and batten. Roof materials included wood shingles, metal or slate...The architecture in the Lawyers Hill Historic District encompasses a broad array of styles ranging from 1738 Georgian Colonial to 1941 Georgian Revival. The collection of Victorian domestic architecture (circa 1841 to 1880) clustered around the Lawyers Hill Road and Old Lawyers Hill Road area is unparalleled in the county. While the houses are similar in terms of mass, proportion and materials, no two are exactly like. As a result, the Lawyers Hill landscape reads like a chronology of American architectural history, which each house reflecting the style of the time and expressing the individuality of its building. There are variations of the American Gothic Revival Form, Italianate, Queen Anne and Shingle-style structures. There is also a range of Colonial Revival houses, from Craftsman era rustic cottages to more formal Georgian, and mass-produced Dutch Colonial models from the early 20<sup>th</sup> century.” Some notable houses in Lawyers Hill include The Lawn, which built by Judge George Washington Dobbin in 1835 and located on Old Lawyers Hill Road. The Lawn is individually listed on a National Register of Historic Places, contains a Maryland Historical Trust easement and is considered a textbook example of the American Gothic Revival style. Maycroft, located on Old Lawyers Hill Road, is listed on the Historic Sites Inventory as HO-447 and dates to 1881. Maycroft is noted as being the finest example of Queen Anne in the County.

Aside from architecture, the landscaping in Lawyers Hill is also important. The nomination form explains, “historically, there has been a great emphasis on landscaping in Lawyers Hill...A wide diversity of forest trees continue to flourish on the hill, among them ash, beech, chestnut, sugar maple, oak, hickory, cedar, blue spruce, pine, lindens, dogwoods and hollies. Numerous ornamental trees and shrubs also survive on Lawyers Hill, some over one hundred years old, including boxwoods, paulownia, wisteria, rhododendron and roses. Mature fruit trees planted in the yards of many houses include apples, pears, peaches and cherry. The landscape is a carefully guarded legacy.” This legacy has been further guarded through voluntary land easements that many property owners have added over the years. The easements in Lawyers Hill include Rockburn Land Trust easements, Conservation easements, Maryland Environmental Trust

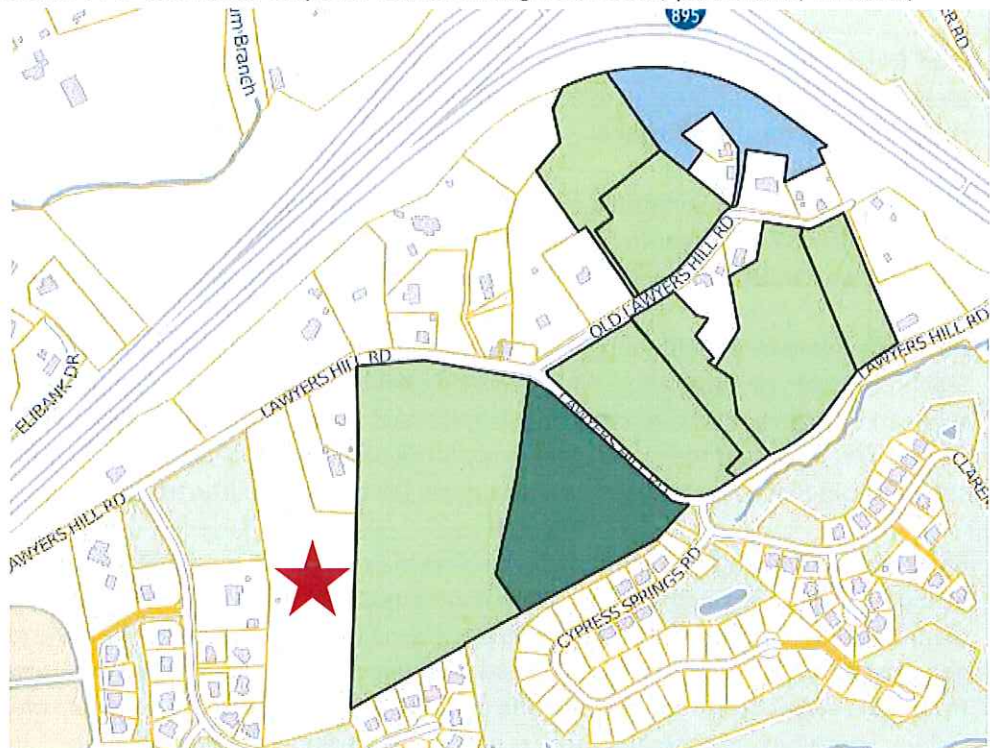


Figure 7 – Location of preserved land in Lawyers Hill



easements and Maryland Historical Trust easements (easements shown in green and blue below, subject property shown with a red star).



Figure 8 - Former historic house on property

While the subject property today only contains an outbuilding, there was a historic structure on the property known as The Rohleder House, HO-443. Aerial photography shows the house in 1993, but it appears to be rubble by 1998. The house was a two and a half story brown shingled structure, built in the Queen Anne style.

**Staff Recommendation:** Staff recommends any site plan that is developed takes into account the architectural and historical significance of Lawyers Hill and respects and complements these characteristics described above.

**Testimony:** Ms. Holmes noted a correction on the agenda that 6219 Lawyers Hill Road is located in Elkridge, not Ellicott City. Mr. Taylor clarified that although the agenda stated this matter was for a Certificate of Approval for exterior alterations, it is actually for should be Advisory Comments.

Mr. Shad swore in Donald Reuwer Jr. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Reuwer explained that the R-ED zoning allowed cluster development that can be attached or detached housing. He said the parcel is 8.6 acres based on a recent field run survey. Mr. Roth said the tax record showed the parcel as 7.54 acres. Mr. Reuwer said the field run survey should be accurate and that it is typical for the tax records to differ.

Mr. Reuwer showed the Commission the base plan using the information from the field run survey that included topography and identification of wetlands. Mr. Reuwer said specimen trees over 30 inches at diameter breast height (DBH) were marked and surveyed. Mr. Reuwer said the green tagged trees are in good condition while brown tagged trees are in poor to fair condition. Mr. Reuwer said the property fronts on Lawyers Hill Road and the site contains a lot of debris. Mr. Reuwer referred to the historic Gables house next to the parcel that is part of the neighboring subdivision of Summer Home Terrace.



Mr. Reuwer said there is an easement and connection to the sewer and water line and the County will require a loop water line. There is also water available from Lawyers Hill Road.

Mr. Roth said that a Certificate of Approval is required per the Guidelines for the removal of trees over 12 inches DBH. Mr. Roth recommended to revise the tree survey plans to identify such trees. Mr. Reuwer agreed.

Mr. Reich asked about the blue area on the map. Mr. Reuwer said the blue area shows the wetland and wetland buffer.

Mr. Reich asked about the difference in topography between GIS and the map. Mr. Reuwer said the map is a field run survey that is more accurate.

Mr. Reuwer began his presentation to show the Commission three different designs. The first scenario he showed was for active adult townhouse design options with 32 homes that would not impact schools and would be more environmentally sensitive. Mr. Reuwer said the townhouse design shown would not be in tradition with Lawyers Hill because there are no attached homes in the area.

The second design Mr. Reuwer showed was for a typical R-ED subdivision consisting of a 6,000 square foot minimum lot size and 50% open space requirement. Mr. Reuwer said he met with DPZ and modified the design options by re-arranging the plan to create a large open space area. Mr. Reuwer said there would be 16 total lots. He explained that the closest new house to the neighboring historic Gables house would be 300 feet. The houses would be setback about 400 feet from Lawyers Hill Road. Mr. Reuwer said the homes would average about 3,000 square feet and the selling price will be from the high \$700's to \$1 million. Mr. Reuwer said the proposed homes will not be visible from Lawyers Hill Road.

Mr. Taylor clarified that the plan depicted only 15 lots. Mr. Reuwer acknowledged the correct number of lots should be 15.

Mr. Roth asked if there is a 30-foot building restriction line around the development. Mr. Reuwer said yes.

Mr. Reich asked if the parcel to the right of the proposed development is in preservation. Mr. Roth, who is the owner of the land, said the land is under conservation with a Maryland Environmental Trust Easement. Mr. Roth said the conservation plan requires 9 of the 16 acres to be in forest conservation. Mr. Roth said the back part of the lot is protected forest under the forest conservation plan.

Mr. Reich asked about the other neighboring houses. Mr. Roth said the house at 6199 Lawyers Hill Road dates to the 1960s. Mr. Reuwer asked if Mr. Roth's house is historic. Mr. Roth said yes, his house at 6117 Lawyers Hill Road is a contributing structure and was built in 1930, with two barns that date to the 1840s. Mr. Roth said the Gables house at 6235 Lawyers Hill Road (on the west side of the property) and the house at 6195 Lawyers Hill Road (on the east side neighboring 6199) are contributing structures to the Lawyers Hill Historic District.

Mr. Reuwer presented the third design option. He explained that when fronting a scenic road in a historic district, a traditional residential neighborhood is permitted in Section 128 of the zoning regulations. Mr. Reuwer reviewed the regulation with the Commission. Mr. Reuwer said an example of this type of design would be Maple Lawn or Terra Maria. Mr. Reuwer said the 8 acres is not wide enough to create a grid street pattern. He explained that the traditional design allows for zero lot line dwellings

and a 4,000 square foot minimum lot size instead of a 6,000 square foot minimum lot size. He explained the difference in lot size results in a larger buffer of 35 feet instead of 30 feet around the new development. Mr. Reuwer said some elevation designs include detached garages on the rear or underneath the house.

Mr. Reuwer provided photos of the Terra Maria design and Maple Lawn houses to the Commission. Mr. Reuwer said such design allows the house to have the porch near the sidewalk and garages at the rear of the house, in addition to a turnaround at the end of the street for firetrucks. Mr. Reich asked if the topography rises up and then back down after the first four houses in the proposed development. Mr. Reuwer pointed to the map to show where the topography changes and which lots would rise up then down. Mr. Reuwer said none of the lots are final and there will be a lot of tweaking to be done, but he would like feedback from the Commission.

Ms. Tennor said the footprints of the proposed traditional design looks smaller than the R-ED cluster version, but the unit numbers increase from 15 to 18 lots. Mr. Reuwer said yes, but the proposed units are not as valuable as the R-ED version.

Mr. Roth asked if the lot was going to be regraded. Mr. Reuwer said he intends to do minimal grading. Mr. Reich asked if 90 percent of the property will be cleared. Mr. Reuwer said 50 percent stays and will be open space. Mr. Reuwer explained that the cost to clear an acre is about \$5,000 per acre, and he prefers not to clear trees unless required.

Mr. Roth asked if there are issues with sewer access for houses located on the north side of the property. Mr. Reuwer said no. Mr. Roth asked if the knoll in the center of the property will be removed. Mr. Reuwer said no.

Mr. Reich asked if there is any insight into the density. Mr. Reuwer said the proposed density is within the allowed density and importing density of 10% is also permitted.

Mr. Taylor asked if the road in the development will be public. Mr. Reuwer said yes, and the plan is to install more than the required landscaping for the buffer.

Mr. Reich asked if the development will be buffered from the historic district. Mr. Reuwer said yes. Mr. Reich asked about the development's entrance and how it will work with the neighboring community. Mr. Reuwer said since there is a scenic road, a four feet high stone entrance monument is an option. Mr. Reich asked if there will be a feature to buffer the view of the rest of the neighborhood. Mr. Reuwer said he will save the woods in the front of the property. He explained that the first house is located about 400 feet from the front of the property, back through the woods. Mr. Reuwer said he has only identified trees over 30 inches DBH, but he will go back and identify trees over 12 inches DBH.

Ms. Tennor commented the desire is not to have front loading garages be a dominant feature. She said but the proposed layouts are different from other properties in the historic district in its density, which is not ideal.

Mr. Reich asked about the Commission's authority of density within the historic context. Mr. Taylor said this parcel has R-ED zoning and a historic district overlay. Mr. Taylor recommended the Commission review Chapters 8 and 9 of the Lawyers Hill Design Guidelines to make an informed decision. Mr. Taylor said although the ultimate approval of a subdivision plan is by DPZ, the Commission can indicate the proposed development has high density since this case is for Advisory Comments. Mr. Roth said there may be ways to discuss density within the historic context of the District.



Mr. Taylor referred to the Guidelines for new construction which explain that new construction should be setback substantially from public roads and compatible with existing architecture in the District. Mr. Reich said the Commission can approve or disapprove the final design of the proposed development. Mr. Taylor clarified that DPZ is the approval authority for the design of subdivisions, but the Commission has to approve the architecture of each structure. Mr. Reich said he wants to understand how much authority the Commission has. Mr. Taylor said the Commission's decision will need to be supported by evidence that is consistent with the intent and purpose of the Lawyers Hill Historic District Guidelines.

Mr. Reuwer said new homes can represent the style of their own period and do not need to replicate. Mr. Taylor said the development should be compatible and reflective of the existing neighborhood.

Mr. Shad asked if anyone in the audience wished to present testimony.

Mr. Shad swore in David Errera. Mr. Errera said he would not recommend building a development that looks like a suburban subdivision. The development should reflect the surrounding scenic area, not cookie cutter homes, even if they sell for \$800k. Mr. Errera said zero lot lines are not ideal and the proposed density is too high. Mr. Errera said single family homes should be further apart to reflect the other structures on Lawyers Hill Road. Mr. Errera said the installation of sidewalks and street lamps are typical in a modern development but are not found in Lawyers Hill. Mr. Errera said the style of the homes should be varied and they should avoid building overly large mansions to stay in character with other homes in the District. Mr. Errera hopes the proposed plan would look more like Lawyers Hill and less like Claremont Overlook.

Mr. Shad swore in Howard Johnson. Mr. Johnson said he lives south of the proposed development. Mr. Johnson said the topography of Claremont Overlook changed completely because the hill was blasted away. The development of the Gables/Summer Home Terrace was watched carefully and reflects the District's characteristics. He explained there are larger homes and larger lots in the area and that should be reflected in the proposed development by reducing the density in half and increasing setbacks and buffers.

Mr. Shad swore in Michelle Klein. Ms. Klein said the Guidelines stipulate setbacks to protect viewshed of homes in the area. Ms. Klein said the entire back wall of her home is floor to ceiling windows where the view would be impacted, and a buffer is needed. Ms. Klein said the eastern property line on the plan is covered in evergreens and not specimen trees but should not be cut down. Ms. Klein said there is lots of wildlife in the area. She explained that the District was split by the construction of Interstate 95, and other residential developments, reducing the habitat for wildlife. Ms. Klein said although the density is allowed, the proposed density is not ideal. The District's characteristics should be preserved. Ms. Klein said an entrance feature would look out of character and would not be compatible with the historic nature. The Guidelines is to honor the intention of the District, especially since there are not many others like it. Ms. Klein said the Guidelines reference topography and grading and recommend creating driveways that are wide enough for a one lane road. She said the proposed two lane road may require serious grading that impacts the environment. Ms. Klein is worried about the impact of connecting to sewer, water, electric and fiber optic. Ms. Klein recommend the access to the development be constructed off of Summer Home Terrace. She said townhomes are not in keeping with the District and that new construction should be built in the styles documented in Chapter 3 of the Guidelines. Ms. Klein asked if there will be sidewalk. Mr. Reuwer said yes, a sidewalk is required on one side of the street. Ms. Klein asked if the sale closed on the property. Mr. Reuwer said he did not know.

Mr. Shad swore in Angela Shippet. Ms. Shippet echoed comments of previous speakers about the density. Ms. Shippet said she lives on a half-acre lot and she believes there should be more space between lots. She explained that she does not live in the district, but they try to conform and have tree lined pathways. Ms. Shippet said townhome and neo traditional designs are not characteristic of the community. Ms. Shippet asked if the new development will have an HOA. Mr. Reuwer said yes.

Mr. Shad swore in Finn Ramsland. Mr. Ramsland said he has two testimonies to present, one for himself and another for Mr. Josh Robinson who lives in the historic Gables house. Ms. Burgess said Mr. Robinson emailed his testimony in advance and Ms. Burgess already forwarded the testimony to the Applicant. Mr. Ramsland said he moved into the historic community about a year ago with his family. The houses are farther apart and kids can walk up and down the street. He explained there are currently about 30 houses in the historic district. He said the proposed development would be an increase of 50% of density on 10% of the land. He said if townhomes are built then the density increase would be 106%. Mr. Ramsland hopes Mr. Reuwer will find a way to preserve the uniqueness of the community.

Mr. Ramsland read Mr. Robinson's testimony. Mr. Robinson is concerned the historic Gables house will be cut off from the rest of the Historic District by the new development. Mr. Robinson would like to see the woodlands and landscaping preserved by creating an entrance on Summer Home Terrace. Mr. Robinson said many people walk on Lawyers Hill Road and the new development will cause an increase in traffic that would create safety issues for pedestrians. Mr. Robinson suggested a land conservation easement to preserve land around the historic Gables house and Mr. Robinson also quoted the Guidelines that recommended against blocking views of historic homes.

Mr. Shad swore in Cathy Hudson. Ms. Hudson said the Lawyers Hill community is a tight knit community with a great history that Mr. Reuwer will become a part of. Ms. Hudson said many owners gave up development rights by putting property under easements in order to preserve the land. Ms. Hudson recommended Mr. Reuwer build two houses and put the land into an easement. Mr. Roth said the parcel can be a sending density site. Mr. Reuwer said the parcel can only send three lots. Ms. Hudson asked if Mr. Reuwer is the property owner. Mr. Reuwer said he was unsure who the owner is.

Mr. Shad swore in Kristy Mumma. Ms. Mumma said she echoed similar concerns about lot lines and high density. Ms. Mumma said the development should be single family homes with more design variety to include diverse building styles from different time periods with unique characteristics like large windows, fireplaces, porches that would echo the characteristics of existing homes. Ms. Mumma was concerned about lot layouts that does not seem to reflect the contours of the land. Ms. Mumma said the plan should fit with the contours of the natural landscape. Ms. Mumma was also worried about removal of large specimen trees and hopes the plan can include more trees to be saved. Ms. Mumma said there are many small streams on the lower portion of the land and significant elevation changes and that could alter the landscape at the entrance on Summer Home Terrace. Ms. Mumma reiterated the importance to save trees and provide dense buffers to make sure that houses are not seen from adjoining properties.

Ms. Burgess asked for clarification about the concern or consideration of having the entrance through Summer Home Terrace which seems to be designated open space. Ms. Burgess said she is not making a recommendation but simply asking for clarification based on the comments heard this evening. Mr. Reuwer said that parcel is owned by the Summer Home Terrace HOA and the HOA would have to agree on access in that area.



Mr. Roth said he thinks that the map is correct (looking at a part of the stream on the HOA parcel in reaction to Ms. Mumma's testimony) that there are more streams than shown. Mr. Reuwer said flags are marking the wetlands right now.

Mr. Roth said he lives next door to the property and is familiar with its history. Mr. Roth researched the land records and said before lawyers came to Lawyers Hill – Mary Dorsey of Rockburn estate sold five acres to her cousin, Jason Petticord around 1840. The area is the most southern side of the parcel being reviewed. There are remains of a home and hearth there would be an interesting archeological site.

Mr. Roth said the Commission needs to make sure the proposed development is compatible with the historic character of the District. He explained that Chapter 3 of the Guidelines states that no two homes are alike in Lawyers Hill and the land should have minimal clearing and grading to preserve the natural landscape. Mr. Roth said Chapter 4 states that archeological resources should be protected and preserved, which is why he referenced the historic Petticord home. Mr. Roth said the Guidelines state that spatial relations should not be destroyed. He said the proposed development should be compatible with size, scale, proportion, and massing to protect the integrity of the property and its environment. Mr. Roth said he does not believe any of the proposals meet the criteria.

Mr. Roth said that excessive grading, such as that at Claremont or Cypress Springs, could compromise the historic context of the landscape and finds the proposals are inconsistent with Chapter 10 of the Guidelines.

Mr. Roth said Chapter 8 of the Guidelines outlines new construction requirements. Mr. Roth said the Commission should protect the environment and its sensitive resources; minimize site disturbance; and not disturb contours of the site. Mr. Roth said although the plans seems to buffer wetlands, the overall development plan threatens the contours of the land.

Mr. Reuwer said there are no steep slopes on the plan. Mr. Roth said if hillsides are removed, trees root systems could be exposed causing them to die.

Mr. Roth said homes should be screened from each other to match existing character and not just screened from the road. Mr. Roth recommends single family homes to be built that do not obstruct other homeowners' views.

Mr. Roth said the historic driveway should be maintained and new driveways should be one lane per the Guidelines. Mr. Roth said the access road is not consistent with maintenance of historic driveway. Mr. Roth said a modern subdivision should not be built in a historic district. Mr. Roth suggested perhaps only building two to three houses along the ridge line and recommended one lane driveways.

Ms. Tennor said she agreed with Mr. Roth. Ms. Tennor said if the justification for the development is based on the houses not being visible, then the plan is not ideal.

Mr. Reich said he agreed with Mr. Roth. Mr. Reich said there is a need to provide a dense buffer all the way around the site, like the viewshed preserved around the Gables house. Mr. Reich said the plan should show how grading will really be with the twenty-foot rise and drop over the hill because the plan seems like most of the parcel would be regraded and leveled out. Mr. Reich asked for a revised plan showing more trees to be saved.

Mr. Roth said the development should not be hidden, but rather be compatible with the existing District. Mr. Roth believes that 16 units would not be compatible with the community.

Mr. Reuwer said that he would like Mr. Roth to recuse himself from the Commission on this case. Mr. Reuwer cited the Commission's rules and that he believes Mr. Roth has a conflict of interest. Mr. Roth did not think he had a conflict of interest.

Mr. Shad said he echoed the Commission's comments. Mr. Shad said although zoning allows a certain amount of density, the proposed density is not wise. Mr. Shad encourage Mr. Reuwer to look at reducing the density with fewer homes that would be in keeping with the area.

**HPC-18-23 – 3598 Fels Lane, Ellicott City**

Advisory Comments for Site Development Plan.

Applicant: Matthew Pham

**Background & Scope of Work:** This property is located in the Ellicott City Historic District and does not contain any structures. The Applicant seeks Advisory Comments on the site development plan for the construction of a new single family house. The property is 0.518 acres and is zoned R-VH (Residential: Village Housing). In December 2014 the Commission approved the construction of a new single family house. However, that house was never constructed and the approval has since expired. The location of the current plan is slightly different and was chosen to minimize disturbance to the steep slopes and stream buffer. The previous plan approved would have required significant retaining walls.

Staff requested additional information on the site plan and the Applicant provided the following: The footprint of the house will be 44 feet wide by 34 feet deep and will be under 1500 square feet. A side porch will be 10 feet wide, which brings the total width of the house to 54 feet. The Applicant has provided a sketch of the front elevation of the house (there are two elevations on the sketch, the Applicant prefers the one on the bottom), which was included in the application packet. The house will have a covered front porch and side deck with a second story balcony. The back of the house will have a covered deck.



Figure 9 - Aerial view of property





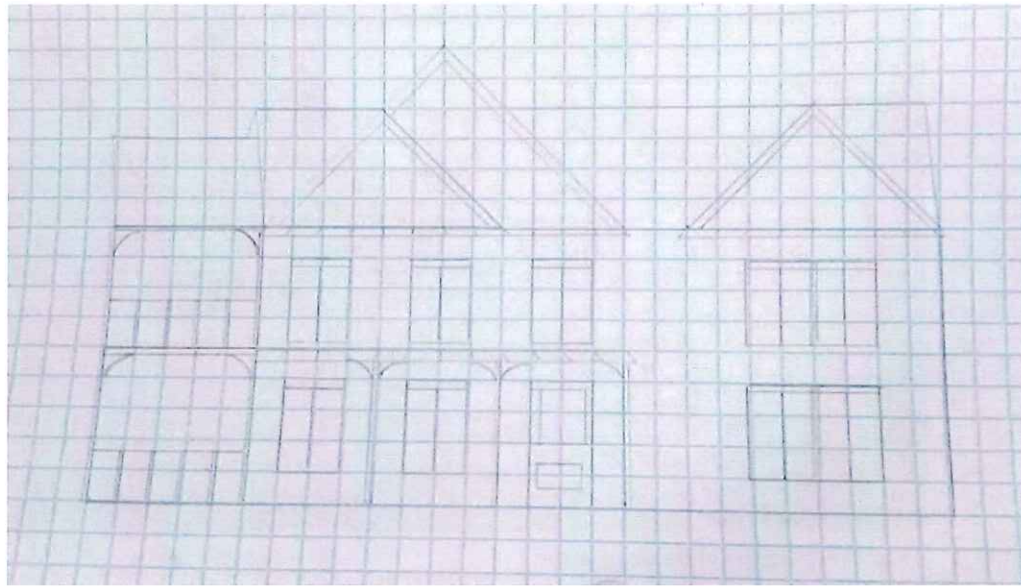
**Figure 10- Location of lot along street**

There will be a porous asphalt parking pad off the street that will hold two cars. The parking pad will be connected to the house via a covered four-foot wide pervious paver walkway.

The Applicant identified nine trees that have a DBH (diameter at breast height) of 12-inches or greater that will need to be removed for construction of the front walkway, front yard rain garden, foundation of the house and other grading that will be needed for construction. The Applicant explained that the “pervious nature of the walkway, parking pad, and two rain gardens will be purposely designed and constructed to exceed the requirement of managing storm water runoffs of a 100-year storm by a margin of 10%.”

**Staff Comments:** Chapter 8 provides recommendations and guidance on the construction of new principal structures and explains “new buildings should respect historic development patterns. In most cases, this will mean siting new buildings in a similar manner to neighboring buildings. Within the constraints of the particular building lot, new buildings should maintain setbacks from streets and other buildings consistent with those of nearby historic buildings and should avoid blocking important views of Ellicott City and its terrain.”

Chapter 8 recommends, “whenever practical and consistent with neighboring buildings, orient new buildings with the front door and primary façade facing the street. This is a consistent pattern through most of Ellicott City, but may not work in some locations due to the hilly terrain, winding streets and irregular lot patterns.” The proposed building will not line up with neighboring historic structures, however the siting is limited by a number of factors, such as the shape of the lot, topography and the stream buffer. The house will be sited as close to the street as possible and the front of the house will face the street, which complies with the Guidelines.



**Figure 11 - Sketch of front façade of proposed house**

The Applicant has provided a sketch of the front façade of the house, which will require a future Certificate of Approval, along with all other building elevations and materials. Chapter 8 recommends, “design new buildings to be compatible with neighboring buildings in bulk, ratio of height to width and the arrangement of door and window openings.” Chapter 8.B also recommends “use a building form or shape compatible with historic buildings that are part of the same streetscape. This is particularly important for new buildings on infill lots where existing buildings along the street are similar in form.” The proposed building is significantly wider, at 54 feet (including the side porch) than the neighboring historic structures, which range approximately from 30 feet to 39 feet in width. Most of the houses on Fels Lane are 3 to 4 bays wide and the proposed house would be 5 bays wide with a void between the right and center sections that could almost count as an additional bay. There is only one house on Fels Lane with a side porch (which is listed on the Historic Sites Inventory as HO-1131 and is the most historic house on the street.) This house was constructed by Ezra Fell, for whom the street is named, and dates approximately to 1820-1825. The other houses along Fels Lane do not have side porches and only have front porches. The building form and shape is much wider than the historic houses on the street and should be shortened and the side porch removed in order to comply with the Guidelines.

Chapter 8.B of the Guidelines recommends, “integrate a new building wider than neighboring buildings by breaking the new building façade into sections that are similar to the width of neighboring buildings.” The sketch of the front façade has broken the building up into different sections with a side porch on the left, three bay section with a double front gable in the center and a two-bay section with one front gable and paired windows on the right. While an attempt was made to break up the wide front façade, the design does not comply the Guidelines as the building form is not compatible with existing historic structures. The majority of the historic buildings on the street have side gable roof. There is one historic house with a cross gable roof and two historic houses with a homestead ell (half of the house has a front gable section that stands out prominently and a side gable section that is set back.) Some of the styles found on Fels Lane are shown below in Figure 10.





Figure 12 - Historic houses on Fels Lane

Chapter 8.B of the Guidelines recommends, “use a roof shape and slope that echoes the roof forms of neighboring historic structures” and “use a building form or shape compatible with historic buildings that are part of the same streetscape. This is particularly important for new buildings on infill lots where existing buildings along the street are similar in form.” The roofline does not echo the forms of neighboring historic structures due to the number of front gables, and therefore should be simplified to one front gable. The double set of gables can be found in Craftsman architecture and some high style Queen Anne buildings, as a bay projecting from the building, but is more commonly seen in this area in new construction. This feature is not compatible with the historic buildings on Fels Lane.

The area of the house on the right, referred to above as the second bay with paired windows and one gable, reads as an addition to the house and appears detached from the rest of the house. There is no local historic precedent for the two gable roofs to be placed side by side. Detailed construction drawings are required for the future Certificate of Approval. In particular, there should be a detail drawing of the paired windows to understand what the trim will look like and what the window sash arrangement will be. Based on previous meetings where the Commission has reviewed similar applications, detail drawings should also be provided that show what the porch railings, posts and roof will look like and how they will connect.

The siting of the house complies with the Guidelines as best it can given the site constraints. However, the footprint of the house is larger than all houses on the street and as a result, the design of the house does not comply as explained above. The architectural design of the house is inherently tied to the footprint, and may affect the final design of the site plan.

**Staff Recommendation:** Staff recommends the footprint of the house be reduced in width and the roofline reconfigured, to better comply with the Guidelines.

**Testimony:** Mr. Shad swore in Gabriel Pham. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Pham disagreed with some Staff comments. Mr. Pham said the house was designed with the Guidelines in mind and incorporated several different designs that are on Fels Lane, and the surrounding neighborhoods of Church Road and Deanwood Avenue. Mr. Pham said he noticed the side porches and double gables on the other houses and the side deck comes from the Ezra Fell house. Mr. Pham said the house should be viewed in three separate sections, the center consists of a center cross gable mimicking a Queen Anne style and another Fels lane house. Mr. Pham said the right side of the house has another side gable combined with the center is meant to reference a craftsman style and is consistent with the homes on Deanwood Ave. The left side of the house consist of a side deck meant to emulate the Ezra Fells house that is a neo-classical design. Mr. Pham finds the proposed design is in accord with the Guidelines.

Mr. Reich said he agreed with Staff's comment that a thinner girth, in reference to the width, would look better in the neighborhood. Mr. Pham said the proposed design favored minimal grading.

Mr. Reich said the double overlapping gable is a 1980s/90s suburban design feature. The cross gable on the front reflects old Howard County farmhouses. Mr. Reich recommended creating a larger and wider front porch that would better fit into the historical context. Mr. Reich said the Commission need more architectural details such as quarter inch scaled drawings showing the trim, sizes, colors, windows and other design details. Mr. Reich agreed with Staff's recommendation to make the design reflective of the neighborhood then return to the Commission with revised drawings.

Mr. Pham asked how much the scale of the house should be reduced. Mr. Pham said a previous approved design four years ago was a much larger footprint at 60x40 feet. Ms. Burgess said the previous design is different from Mr. Pham's proposal as the 40-foot width paralleled the road. Mr. Pham said he wanted the house to be more proportional to the lot itself. Mr. Pham said if the side of the house was thinner, the distance would isolate his house from the neighbors. Mr. Shad also agreed with Mr. Reich's comment that a smaller footprint would be more welcomed with the neighborhood.

Mr. Reich said there is a 10-foot drop across the front of the house that is not reflected in the elevation. Mr. Reich asked about the design of the rear and side with the existing topography, as the submitted elevation shows it all level. He recommended the Applicant revise the drawing then return to the Commission to explain how the revisions fits into the historical context.

Ms. Tennor said the covered deck on the side is uncommon when compared to other houses in the District. Ms. Tennor said a wraparound porch would be more compatible. Mr. Pham said he wanted to minimize the footprint with the side deck but will consider Ms. Tennor's recommendation.

Mr. Reich said the Applicant can make the structure thinner and longer and wrap the front porch around the side with a cross gable that would better fit the context of the neighborhood. Mr. Reich said the area underneath the porch could be a walk out basement.

Mr. Pham asked again how much of the house dimension should be scaled down. Mr. Reich said scale is a visual thing – 10 feet may work, but he asked the Applicant to show a picture of the proposed house in relation to other adjacent homes.

Mr. Roth agreed with Mr. Reich's comments and had no further comments.

Ms. Burgess said the Applicant seeks the Commission's comments before submitting a site plan and environmental concept plan to DPZ. Mr. Shad said a smaller footprint would be ideal. Ms. Holmes asked if the Commission would like to see the revised plan. Mr. Reich asked if the revisions can be reviewed by email. Ms. Holmes said no.

Mr. Taylor asked the Commission if the changes in topography required would be in accordance with the Guidelines. Mr. Reich said the plan does not show any retaining walls and has a storm water management pond to make the grading work. Ms. Holmes said when she spoke with Mr. Matthew Pham, the design was done with the intention of minimal grading not requiring retaining walls.

Mr. Reich said there is a 20-foot drop across the diagonal of the house in the existing topography. Mr. Reich recommended filling in 10 feet of the drop with a walkout basement. Mr. Reich said a double basement is another option to minimize grading and comply with the Guidelines.

Mr. Taylor noted that Chapters 8 and 9 of the Guideline state that significant changes to the topography are not appropriate in the Ellicott City Historic District. Mr. Taylor asked the Board to clarify whether the Commission was opposed to building a house on the property, or whether a house was appropriate but needs to comply with the Guidelines. The Commission indicated that constructing a house was appropriate, but that it must be in accord with the Guidelines.

Mr. Roth referred to Chapter 7, which advises against destroying the natural topography and minimizing disturbance.

Mr. Pham asked if a subbasement would be the best approach. Mr. Reich said yes. Mr. Roth said a subbasement would make the backyard more usable with less slope.

Ms. Holmes asked if there is a covered walkway. Mr. Pham said he prefers a covered walkway for weather protection although the design is not final. Ms. Holmes said detailed drawings are needed for the covered walkway when they apply for the Certificate of Approval.

Ms. Holmes said the Applicant should take into account the appropriate materials for the historic district. Vinyl siding is not appropriate. Mr. Pham agreed.

**Motion:** There was no motion. The application was for Advisory Comments, which is reflected through the comments.

#### **HPC-18-24 – 8307 Main Street, Ellicott City**

Certificate of Approval for exterior alterations.

Applicant: Megan Reuwer, Esq.

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The Applicant seeks approval to construct a brick patio on the rear of the building in front of the Main Street Ballroom commercial space. The existing parking spaces will be relocated on-site, as shown in Figure 12, and will frame the patio. There will be a six-foot wide concrete sidewalk along the river wall to provide access to the retail space that is shown as Clippers Canine Café in Figure 11, while events are taking place on the patio and sidewalk space in front of Main Street Ballroom.



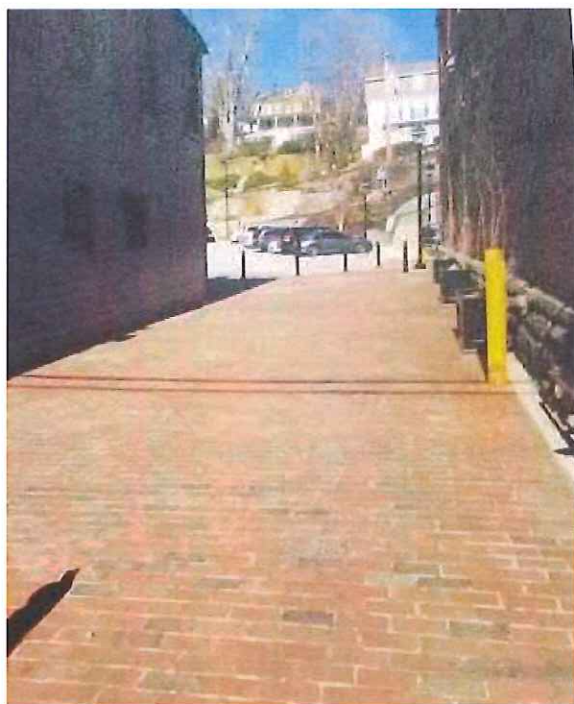


Figure 13 - Proposed brick

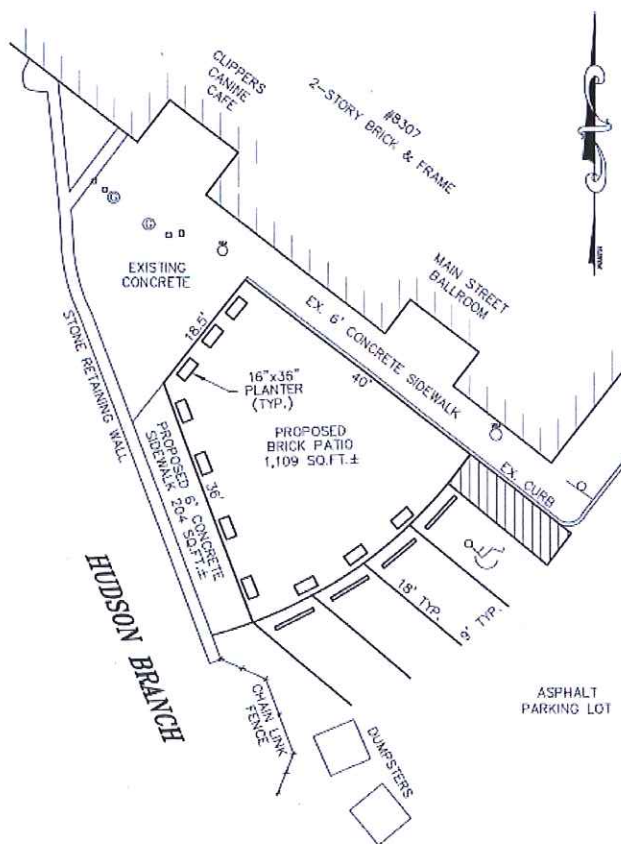


Figure 14 - Proposed site plan

The proposed brick will match that used by the County in the plaza and alley in Parking Lot E. The brick patio will be installed flush with the level of the adjoining asphalt to prevent a trip hazard. The brick pavers will be commercial grade. The patio will drain slightly downhill toward the parking spaces, as it currently does. All curbs will be a standard height. The walkway to Canine Clippers Café will be a ramp at the end so that it is accessible.

**Staff Comments:** The application complies with Chapter 9.D, "construct new site features using materials compatible with setting and with nearby historic structures, particularly for features visible from a public way," and "construct new terraces or patios visible from a public way from brick, stone or concrete pavers design to look like indigenous stone." The brick will complement the historic building, which features a stone exterior wall and will complement the adjacent stone stream walls. The proposed brick also complies with the Guidelines and will improve consistency in design throughout the historic district.

The Applicant proposes to place 10 planters on the patio (the style is shown in Figure 15) forming a barrier to the surrounding area. The Applicant may also want to consider a removable railing system to contain the space and to prevent spill-over. A removable system would be preferred over a permanent railing so that there is flexibility in the space as tenants and building use changes over time.



Figure 15 - Proposed planters



Figure 16 - Example of temporary fencing

**Staff Recommendation:** Staff recommends Approval of the patio design as submitted and recommends the Applicant also identify a removable railing system.

**Testimony:** Mr. Shad swore in Megan Reuwer and Ronald Green. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Reuwer said the design is to provide an attractive outdoor area for events at Main Street Ballroom and pedestrian access to Canine Clippers Café store at all times. Ms. Reuwer said the objective was to relocate private parking owned by the landlord so that parking is always open, including relocating a handicap space and another reserved space for Canine Clippers Café's use. Ms. Reuwer also wanted to identify appropriate permanent planters and screens for the patio area. Ms. Reuwer said the Canine Clippers Café has their own existing concrete patio for events. Ms. Reuwer said the proposed new patio will allow both tenants and their customers equal access.

Mr. Reich said the plan looks good and the patio will look very nice. Mr. Reich asked if the planters and railings are removable. Ms. Reuwer said yes, the planters and railings are removable.

Ms. Tennor asked under what circumstances would the planters and railings be removed. Ms. Reuwer said for snow removal or maintenance purposes.

Mr. Taylor asked if there are four existing parking spaces that will be relocated. Ms. Reuwer said yes, the parking spots are located on a private property. Mr. Green said one of the existing parking spaces is a handicap spot with a ramp and will serve the same purpose after it is relocated.

Ms. Tennor asked if the brick pavers would be on top of the existing paving. Mr. Green said the intent is to mill existing asphalt to an appropriate level then install new pavers flush with the asphalt. Mr. Green said the installation would eliminate all tripping hazards and improve drainage. Mr. Green said the pavers will be set in mortar, like the pathway. Mr. Green said the brick will be full depth and traffic bearing commercial brick.

Ms. Reuwer said she is trying to obtain fabricated metal railings similar to Figure 16. Ms. Reuwer would like to submit the details to Staff for approval. The Commission agreed.

Mr. Shad asked if anyone in the audience wished to present testimony. There was no one.

**Motion:** Mr. Reich moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-18-25 – 8217-8225 Main Street, Ellicott City**

Advisory Comments/Pre-Application Advice for future application.

Applicant: Trae Reuwer

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The Applicant seeks pre-application advice from the Commission regarding an emergency egress door that is being required by the Department of Inspections, Licenses and Permits. The application explains that DILP is requiring an emergency egress from the second floor of the building. The existing door that leads to a former second floor apartment was intended to be used, but the swing of that door interferes with the required egress width of the first-floor main doors. Therefore, that door location cannot be used for this egress.

The application states that the ideal location for the egress door is at the base of the staircase, which is the area outlined in yellow below, where there is an aluminum movie poster frame and ceramic tile below. The Applicant proposes the following solutions to achieve the needed egress and seeks feedback from the Commission:

- 1) Preferred scenario- Remove the movie enclosure and use this location for a door. Because it is an emergency egress door, there is no requirement for hardware on the exterior of the door, and a new aluminum movie enclosure to match the finish and construction the existing would be sourced and installed on the door to hide the fact that it is a door, with matching aluminum trim to fit the original width. The course of ceramic tile below the enclosure would be removed to bring the door down to exterior grade level.
- 2) Scenario 2- Reuse the existing enclosure. The existing enclosure is 45 inches wide and 7 feet 6 inches tall. A custom door and frame would be fabricated to match those dimensions and the existing enclosure mounted to that. If this were to be reused, the course of ceramic tile would still need to be removed to bring the door to grade, but it could be reinstalled above the new door, matching the existing materials on the building and would bring the header height in line with the storefront display windows adjacent.
- 3) Scenario 3- Keep the existing header height and extend the new enclosure/door down to street level.



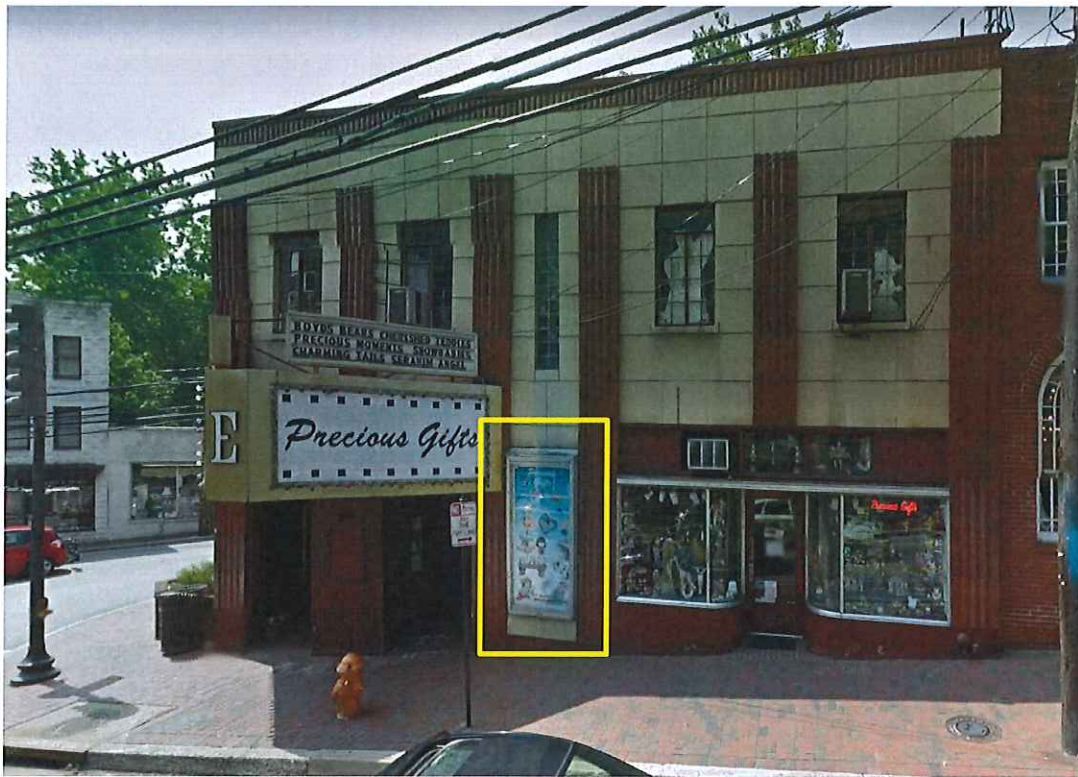


Figure 17 - Location of emergency egress door

**Staff Comments:** The proposal generally complies with Chapter 6.K recommendations for storefronts, “preserve the form and details of existing historic storefronts.” The goal of the project is to install a door for emergency egress, but keep the form and details from the existing façade so that a door does not appear visible from the exterior. The Applicant presents three scenarios for discussion purposes. However, the differences between the scenarios are not clear and further clarification is needed. In Scenario 2 a course of ceramic tile below the movie poster enclosure will need to be removed for the installation of the door, and the ceramic course would be installed in the header space above the door. This would result in the movie poster enclosure frame lining up with the storefront windows. Chapter 6.K recommends against, “using a new storefront design that is not based on the building’s historic façade.” In all photos reviewed by staff, the movie poster enclosure frame is always higher than the storefront windows.

**Staff Recommendation:** Staff finds the plan is a creative solution to the egress problem and recommends using whichever scenario alters the historic façade the least.

**Testimony:** Mr. Shad swore in Trae Reuwer. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Reuwer said the egress door is required by DILP. He explained there is about a 6-inch elevation difference between the sidewalk and the interior stairs. Mr. Reuwer said one option is to make the tile part of the door and the movie poster board case would become the door. Mr. Reuwer said the second option would be to recreate the movie poster board extending down to the ground, to be the whole door length, and then remove the tiles below the existing poster case. The third option is to remove the tile, extend the length of the door at street level. Mr. Reuwer said the door will only be used in emergencies, such as in a fire. Ms. Tennor asked if the remodeled door would still have the same look as now. Mr. Reuwer said yes, for the most part.

Mr. Reich asked if the staircase is being built. Mr. Reuwer said the staircase exists but exits to the side of the front doors and is not permitted to swing out and block the flow of an egress door.

Ms. Tennor said the poster board case/door should remain elevated up and not be extended down. Mr. Shad asked why the existing door condition is not feasible. Mr. Reuwer said the emergency egress door cannot impede the flow of another egress door.

Mr. Roth asked if the door hinges can be reversed. Mr. Taylor said the issue is not with the door but has to do with how people flow in and out of the door, which is why DILP is requiring an egress door. Mr. Reich asked if the poster board door is original. Mr. Reuwer said he was unsure. Ms. Holmes said the oldest photo on file dates back to the 1970s and the movie poster enclosure was there.

Mr. Shad asked if the door shown in Figure 19 can serve as the egress door. Mr. Reuwer said in emergencies, the distance would be too far for people on the second floor to escape.

Ms. Holmes said at the time of the application, there was not enough time to submit drawings for a Certificate of Approval, so Ms. Holmes recommended Mr. Reuwer submit for Advisory Comments with the thought that this could later be approved through the Minor Alterations process.

Mr. Roth said any of the 3 scenarios are appropriate for the Minor Alteration process. The Commission agreed.

**Motion:** There was no motion, as the application was for r Advisory Comments. The comments are reflected through the testimony.

#### **HPC-18-17c – 8081 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$117,100. The difference in the assessment that is eligible for the tax credit is \$116,100. The application states that \$78,164.66 was spent on restoring the building.

**Staff Comments:** Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$11,772.54. As a result, Staff reviewed expenses 30% higher than the estimated potential tax credit and confirmed \$21,930.00 in qualified expenses for restoration work that includes interior repairs.

The work did not require pre-approval per Section 20.113 of the Code, which states, "In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures." The application has been filed within the required timeframe of being submitted within a year of being re-assessed.



The historic true divided light wood windows with historic glass survived the flood, with minimal damage on the first floor. However, all the historic windows on the front façade were replaced on the first and second floor after the flood. The replacement appears to be a simulated external divided light.



Figure 18 - Damaged historic window after flood



Figure 19 - Current replacement window



Figure 20 - Front facade of building after flood

More information is needed on the product specification used in order to make a recommendation. However, based on a visual inspection of the windows, they do not appear to be an in-kind replacement which would require retroactive approval. The cost of these replacement windows was not included in the amount of qualified expenses referenced above.



**Staff Recommendation:** Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Staff needs further specs on the type of window product to make a recommendation.

**Testimony:** Mr. Trae Reuwer was previously sworn in. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Reuwer said the windows installed are real wood on both sides and meets the intent of the Guidelines. The windows are Jeld-Wen windows. Mr. Reich said the windows are simulated divided lite that the Commission approved on other properties.

Ms. Burgess said the issue before the Commission is there may be a possible violation and if the possible violation should be resolved first before other work requests are received on the property. Mr. Taylor said the property had work done without approval, but they are now applying for tax credits for different work, and the question is should the Commission process the local assessment tax credit while there is a violation on the work not approved. Mr. Shad stated the replacement windows are not true divided lite. The remaining Commission said they are ok with moving forward with the tax credit. Mr. Taylor said the Commission can make a contingent approval.

Mr. Roth read from the Guidelines stating the windows should have true divided lights. Mr. Taylor said although there are grounds for approval, the replacement windows are not an in-kind replacement. Mr. Reich said visually, the difference of a true divided light compared to simulated divided lights may be hard to tell from a distance. Mr. Taylor said approval is required since the work was not in-kind by installing simulated divided lights instead of true divided lights.

The Commission recommended the Applicant submit an application for the approval of the simulated divided light windows. The case will be continued next month to May.

**Motion:** There was no motion. The Applicant will submit a new application for May's meeting.

#### **Administrative Business**

Ms. Holmes said a homeowner who has been approved by the Commission, would like to know if he can act as his own contractor with an MHIC license. Ms. Holmes recommended the following requirements: the homeowner present a copy of his active MHIC license, the business be registered on SDAT, the Applicant should provide itemized invoices, along with evidence to show payment from a personal account to business account. Ms. Holmes said the homeowner will get estimates for comparable labor costs in order to determine how much he charges for his labor.

Ms. Holmes asked the Commission for advice on changes to a recent Minor Alteration case. The Commission agreed that using the Minor Alterations process again for the changes would be appropriate.

Ms. Burgess said she will be out for the May meeting and Mr. Shad will be out for the June meeting. The July 5<sup>th</sup> meeting date may not be convenient due to July 4<sup>th</sup> holiday. Mr. Taylor said he will not be available for the July 5 meeting. For quorum and scheduling reasons, the Commission agreed to schedule the July meeting on Wednesday, July 11.

Ms. Burgess said the Ellicott City Master Plan (ECMP) will have finalized items to present in June. Ms. Burgess said the ECMP meeting materials are posted on the County's website and a Staff member from the ECMP may come to then next meeting to give an update to the Commission.

Ms. Tennor moved to adjourn. Mr. Roth seconded. The motion was unanimously approved and the meeting was adjourned at 10:21 pm.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.



Allan Shad, Chair



Beth Burgess, Executive Secretary



Samantha Holmes, Preservation Planner



Yvette Zhou, Recording Secretary